

REMARKS

Claims 1-6 and 8-14 remain in the application. No claim amendments are made in this paper. Reconsideration and further examination are respectfully requested in view of the following arguments.

Claim Rejections – 35 USC § 102

Claims 1-3, 5, and 8-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Kane U.S. Patent No. 6,317,728.

It remains the applicants' position that Kane fails to disclose at least one feature in the claims. In particular, it is submitted that Kane fails to disclose a human being using a graphical user interface to enter parameters for a trading algorithm.

In regard to this claim feature, the Examiner relies on a passage at column 8, lines 19-31 in the reference, but the Examiner's reliance on this passage is misplaced.

The Examiner appears to rely particularly on the following disclosure, which appears at column 8, lines 28-31:

WealthBuilder also allows customer override and entry of trading commands, and provides a single screen for quote and position information.

Applicants respectfully point out to the Examiner that this passage makes no mention of a human being entering parameters for a trading algorithm. A person who is skilled in the art would instead view this passage as describing a human being overriding an algorithm by placing individual trading orders.

Applicant also observes that the passage now relied upon by the Examiner has no bearing on Kane's "intelligent agents", which the Examiner persists in identifying as the claimed "plug-in" for implementing a trading algorithm. If the Examiner truly wishes to rely on the "intelligent agents" as being the claimed "plug-in", the Examiner needs to deal with the fact that no entering of parameters for the intelligent agents is disclosed in the reference. Does the Examiner still wish to assert that the "human being" who enters the parameters for the "intelligent agents" is the

programmer of the system? Applicants respectfully request that the Examiner clarify this point in preparation for a possible appeal.

In sum, the Kane reference fails to satisfy a key element of the independent claims. It is therefore requested that the pending rejections be reconsidered and withdrawn.

CONCLUSION

Accordingly, Applicants respectfully request allowance of the pending claims. If any issues remain, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is kindly invited to contact the undersigned via telephone at (203) 972-3460.

Respectfully submitted,



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Date

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